

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

for the

MAY 02 2016

Judicial District of New Mexico

MATTHEW J. DYKMAN

CLERK

Case No.

16mr-340

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)2003 Mitsubishi 2 Door Sedan
Bearing NM Tag NRZ940

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

2003 Mitsubishi 2 Door Sedan Bearing NM Tag NRZ940, currently located at Knights Towing 2905 Rufina Ct, Santa Fe, NM 87507

located in the _____ Judicial _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

Any illegal controlled substances or associated paraphernalia

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 USC § 844(a)	Possession of Controlled Substance

The application is based on these facts:

See attachment A

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Michael Carpenter Low Enforcement Ranger
Printed name and title

Sworn to before me and signed in my presence.

Date: 5/2/16

City and state: Albuquerque NM


Judge's signature

Steven C. Karbough
Printed name and title
U.S. Magistrate Judge

Affidavit, Search warrant for 2003 Mitsubishi 2 Door Sedan Bearing NM Tag NRZ940

1. My name is Ranger Michael Carpenter. I have been a Law Enforcement Officer with the United States Department of Interior for 7 years and prior to that I was a city police officer in Lincoln, Nebraska for 4 years. I have been a K9 handler for 4 years and have completed two basic K9 handler classes. I have completed the Land Management Police Training program in Glynco, GA and a state police academy in Nebraska. I also have a bachelor's degree from Chadron State College in Criminal Justice. I have been involved in over 12 search warrants in my career.
2. Police Service Dog (PSD) "Enzo" completed 240 hours of training in narcotics detection and patrol work at Shallow Creek Kennels. PSD "Enzo" and I completed a 180 hours basic police K9 course together consisting of narcotic detection and patrol work. PSD "Enzo" and I are currently certified as a police K9 team through the Bureau of Land Management. We are certified in the detection of narcotics (marijuana, cocaine, heroin, methamphetamine, and ecstasy) and patrol. We complete an average of 4 hours of training per week in narcotic detection and patrol work.
3. The information in this affidavit is based on my personal knowledge. The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all the facts related to the case.
4. On 4/30/16 I was patrolling public lands administered by the Bureau of Land Management and observed a gray Mitsubishi bearing NM tag NRZ940 on the side of a road. The vehicle's front tire was sideways and the vehicle appeared disabled. In the back window of the vehicle I observed a large decal stating "DOPE". No one was around the vehicle and on the front window I observed a note stating "will be back asap 420". I understood this to mean that the vehicle had been parked in this location since April 20, 2016.
5. The Federal Law Enforcement Communication (FLECC) advised me the vehicle was registered to Susana GARCIA DE ARIAS of Santa Fe. PSD "Enzo" was deployed and conducted a free air sniff around the vehicle. He alerted to the odor of narcotics coming from the vehicle. He finalized his alert at the rear trunk area.
6. I was provided a phone number for GARCIA DE ARIAS from FLECC. I attempted to contact GARCIA DE ARIAS on that phone number. No one answered. I waited on scene for over two hours and no one returned to the vehicle. The vehicle was towed to Knights Towing in Santa Fe.
7. On 5/1/16 I attempted to make contact at GARCIA DE ARIAS' address. No one answered the door. I again attempted to call GARCIA DE ARIAS with no answer.
8. Through my training and experience I am aware that an alert by PSD "Enzo" to the exterior of a vehicle is an indication that narcotics are present or were present in the vehicle.
9. I have confirmed through the State of New Mexico Motor Vehicle Department that GARCIA DE ARIAS is the current registered owner of the 2003 Mitsubishi 2 door sedan bearing NM tag NRZ940 (VIN# 4A3AC84H33E190813).
10. I reasonably believe that if a search is conducted inside the vehicle, controlled substances and/or paraphernalia will be discovered.

11. This affiant is asking for a forced entry into the vehicle as the vehicle is locked. Forced entry will be obtained by the use of a lockout kit to prevent damage to the vehicle. This warrant will be served with a minimum of two officers present.
12. Based on the foregoing facts, I respectfully request a search warrant be issued to search the locations described in the search warrant for the items listed in the search warrant.



Michael Carpenter, BLM Law Enforcement Ranger

Signed and Sworn before me this 2nd ^{MAY} day of 2016,



STEVEN C. YARBROUGH
United States Magistrate Judge